IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2220 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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LOKSEVA EDUCATION AND CHARITABLE TRUST

Versus

STATE OF GUJARAT

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Appearance:

MR YATIN SONI for Petitioner

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CORAM : MR.JUSTICE C.K.THAKKAR

Date of decision: 23/03/2000

ORAL JUDGEMENT

On 24th September, 1999, my learned brother M.S.Shah,J. passed the following order:

"This petition shall be circulated for hearing only after an affidavit is filed on behalf of the

petitioner trust that the construction of the Ashram Shala building is completed."

The matter was then placed before me on 8th March, 2000. Though no affidavit was filed and the order passed by my learned Brother was not complied with, on that day, i.e. on 8th March, 2000, I passed the following order:

"On 24th September, 1999, following order was passed by M.S.Shah,J:

'This petition shall be circulated for hearing only after an affidavit is filed on behalf of the petitioner trust that the construction of the Ashram Shala Building is completed'.

It appears that no affidavit as per the above order is filed. If such affidavit is not filed on or before 21st March, 2000, the matter will stand dismissed for non-prosecution."

Even on or before 21st March, 2000, no affidavit is filed. The said period has gone. In these circumstances, petition deserves to be dismissed on that ground and is accordingly dismissed.

(C.K.Thakker, J.)

parekh